

## **REMARKS**

In response to the Office Action dated July 19, 2007, having a shortened statutory period for response set to expire on October 19, 2007, Applicants respectfully request entry and consideration of the following amendments and remarks. Applicants once again thank Examiner Peaches taking the time to discuss and consider the application during the Interview on August 29, 2007.

Applicants are filing a response before the two month deadline to request advisory action of this response.

Claims 1-21 are pending in the Application.

Claim 1 is currently amended in the Application.

Claims 6, 14 and 15 were previously presented in the Application.

### **I. Claim Rejections – 35 USC § 112**

Claim 1 is rejected under 35 USC § 112, first paragraph, as failing to comply with the written description requirement. Applicants have considered the new matter objection and has determined that for the expedience of examination the language introduced in the previous amendments identified as new matter by the Examiner are withdrawn in the currently amended claim 1.

### **II. Claim Rejections - 35 USC § 103**

Claims 1-21 are rejected under 35 USC § 103(a) as being unpatentable over *Swartz et al.* (U.S. Patent Publication 2003/0020629 A1) in view of *Bunte et al.* (U.S. Patent Number 5,875,070).

The Applicants have amended claim 1 to better define the invention. Applicants believe that claim 1 as amended appears to teach past the art of record. Applicants' claim 1 teaches a

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system for product selection at a location. Applicants' system includes a mobile computer that communicates directly with an order system server.

In the office action dated July 19, 2007, it was indicated that *Swartz* host computer 810 reads on Applicants' orders system server. *Swartz* teaches that the host computer communicates with the mobile computer through the use of a secondary device. In contrast, Applicants' claim 1 teaches a mobile computer in direct communication with an order system server.

Applicants believe that claim 1 teaches past the art of record, and is in condition for allowance and such allowance is respectfully requested.

The office action indicated that *Bunte* teaches a wearable mobile computer wherein a text-to-speech software resides in the memory, i.e Flash memory, Ram, etc. Applicants believe that *Bunte* fails to teach a mobile device that communicates directly with an order system server. Applicants believe that for the reasons stated above that Applicants' claim 1 teaches past the art of record.

Applicants appreciate Examiner Peaches' careful search and review of the Applicants' application and greatly appreciates Examiner Peaches' time during the Interview on August 29, 2007.

Reconsideration of this Application with the amended claims in view of the remarks expressed throughout this Response is respectfully requested.

Respectfully submitted,

Date: August 30, 2007



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